GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

All India Services – IPS – Sri A.B. Venkateswara Rao, IPS (RR:1989) - Placed under suspension under Rule 3 (3) of All India Services (Discipline & Appeal) Rules, 1969 – Revocation of Suspension – Reinstatement into Service - Orders – Issued.

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GENERAL ADMINISTRATION (SC.D) DEPARTMENT

G.O.Rt.No.1006 Dated: 30.05.2024

Read the following:-

1. G.O.Ms.No.55, G.A. (SC-D) Dept., Dated: 28-06-2022.
2. O.A.No. 273/2023 filed before the Hon'ble CAT, HYD. Bench by Sri A.B. Venkateswara Rao, (U/s).
3. Order Dated: 08-05-2024 in O.A.No.273/2023 of the Hon'ble CAT, HYD.
4. W.P.No.12060/2024, filed by Sate of A.P. before the Hon'ble High Court of A.P.
5. Order, dt.30-05-2024 in W.P.No.12060/2024 of Hon'ble High Court of Andhra Pradesh.
6. From Sri A.B. Venkateswara Rao, I.P.S., (U/s), representation Dated: 30-05-2024, addressed to Government of A.P.

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ORDER:

In the reference 1st read above, Sri A.B.Venkateswara Rao, IPS (RR: 1989) was placed under suspension. The said order of suspension was quashed by the Hon'ble Central Administrative Tribunal vide Orders dated: 8-5-2024 with direction to reinstate him forthwith.

2. The Government has filed W.P.No.12060/2024 for quashing the Order of Central Administrative Tribunal inter-alia, in the interim seeking interim suspension of operation of Orders of Tribunal.

3. The Hon'ble A.P. High Court by its Order dated: 30-05-2024 (Oral Order) was pleased to admit the W.P. and post the WPMP for the relief of granting interim suspension of the Order of Tribunal for further hearing on 20th June, 2024.

4. The Government after careful consideration of the matter note that the Sri A.B. Venkateswara Rao, IPS is due to retire on superannuation on 31-05-2024. There is pending criminal case in Crime FIR.No.1/RCO/-CIU-ACB/2021 in respect of which sanction has been granted by the Union of India vide Order No.26011/23/2023-IPS.II, Dt.02.05.2024. The A.C.B. has since filed its Final Report before the competent Court and awaiting further orders on cognizance of the offences.

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5. In the light of above facts, it is observed that there is no interim relief granted by the Hon'ble High Court which is to be considered in the hearing to be held on 20-06-2024 and as such the Orders of the Hon'ble Tribunal to reinstate the officer forthwith is in operation as of today. The observations of Hon'ble High Court of A.P. in its orders 6th read above are as follows:-

*……….He was suspended pending the initiation of disciplinary proceedings on 08.02.2020. OA filed before the learned Tribunal was dismissed on 17.03.2020. The Hon'ble High Court, in W.P.No.8185 of 2020, quashed suspension order on 22.05.2020. In SLP No.8024 of 2020, an interim stay of the order of the High Court, was granted. Eventually, the SLP was dismissed, in view of the completion of two years of suspension, on 22.04.2022 and directed reinstatement of the 1st respondent. The 1st respondent was reinstated into service and posted as the Commissioner, Printing, Stationary, and Stores Purchase, on 14.06.2022. The 1st respondent took charge on 17.06.2022 and was later suspended vide G.O.Ms.No. 55 GAD (SC.D) dated 28.06.2022. Thus, the 1st respondent was under suspension for nearly five years and is retiring from service on attaining the age of superannuation on 31.05.2024.*

*Keeping the length of service rendered by the 1st respondent and since the 1st respondent is retiring on attaining superannuation by 31.05.2024, interim suspension of the order of learned Tribunal, prima facie, may result in great hardship to the 1st respondent when compared to the petitioner. However, the reinstatement, if any, will not preclude the petitioner from proceeding with criminal action. Hence, we are of the view that appropriate orders will be passed in interlocutory application after filing of the counter affidavit by the 1st respondent".*

6. The Government on overall consideration of entire issue considers that it is equitable and fair that the officer be reinstated into service immediately and be given appropriate postings so as to enable him to retire on 31-05-2024 i.e., on the day of superannuation.

7. Accordingly, the Government in exercise of powers conferred under clause (c) of sub-rule (7) of Rule 3 of All India Services (D&A) Rules, 1969, Government, hereby order to revoke the suspension of Sri A.B. Venkateswara Rao, IPS (RR:1989) and reinstate him into service with immediate effect. His reinstatement and posting is subject to the result of the Criminal Proceedings in Crime FIR.No.1/RCO/-CIU-ACB/2021 pending against him and also the W.P. No.12060/2024 pending before the Hon'ble High Court.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. K.S. JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Sri A.B. Venkateswara Rao, IPS (RR: 1989)
(through the Director General of Police (HoPF), A.P.)

Contd..

The Director General of Police (HoPF), Andhra Pradesh, Mangalgiri.
(with a request to arrange to serve the order copy and return the dated acknowledgement for record)
The General Administration (SC.C/SC. E/Claims-A) Department.
Copy to:
The Secy. to Govt. of India, Ministry of Home Affairs, North Block, New Delhi-110013.
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.
The Accountant General, Andhra Pradesh.
The Pay and Accounts Officer, Andhra Pradesh, Vijayawada.
The P.S. to Chief Secretary to Government.
The P.S.to Prl. Secretary to Government (Political).
SF (2100369)

//FORWARDED BY ORDER//

SECTION OFFICER (SC)